

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

MAXUM INDEMNITY COMPANY,

Plaintiff,

Case No. 3:18-cv-477-MMH-PDB

v.

CHARLES SHAW and
TERRANCE JONES,

Defendants.

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ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Dkt. No. 137; Report) entered by the Honorable Patricia D. Barksdale, United States Magistrate Judge, on February 5, 2021. In the Report, Judge Barksdale recommends that Defendants' Motion for Leave to File Motion to Dismiss for Fraud on the Court, Motion for Sanctions and Request to Take Judicial Notice (Dkt. No. 126) be denied; Maxum's Motion for Joinder of Non-Party Fun Zone Entertainment, LLC (Dkt. No. 121) be denied; the Court find that Maxum failed to show cause why this Court should not dismiss this action without prejudice or continue a stay; the case be dismissed without prejudice; and the Clerk of Court be directed to close the file. See Report at 43. To date, no objections to the Report have been filed, and the time for doing so has passed.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at * 1 (M.D. Fla. May 14, 2007).

Upon independent review of the file and for the reasons stated in the Magistrate Judge’s Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

ORDERED:

1. The Report and Recommendation (Dkt. No. 137) is **ADOPTED** as the opinion of the Court.
2. Defendants’ Motion for Leave to File Motion to Dismiss for Fraud on the Court, Motion for Sanctions and Request to Take Judicial Notice (Dkt. No. 126) is **DENIED**.
3. Maxum’s Motion for Joinder of Non-Party Fun Zone Entertainment, LLC (Dkt. No. 121) is **DENIED**.

4. The Court finds that Maxum Indemnity Company has failed to show cause why the Court should not dismiss this action without prejudice or continue a stay.
5. This case is **DISMISSED without prejudice**.
6. The Clerk of the Court is directed to terminate any pending motions and close the file.

DONE AND ORDERED at Jacksonville, Florida, this 22nd day of February, 2021.


MARCIA MORALES HOWARD
United States District Judge

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